



Draft Wicklow Town – Rathnew LAP Submission - Report

Who are you:	Agent
Name:	HK Partnership
Reference:	DWTRLAP-175917
Submission Made	November 19, 2024 6:00 PM

Topic

Land Use Zoning Map

Submission

Please refer to the enclosed submission, made on behalf of HK Partnership.

File

Q72924 Draft LAP Submission v3.0.pdf, 0.84MB

Wicklow County Council
County Buildings
Whitegates
Wicklow Town
Co. Wicklow

Tuesday, 19th November 2024

Dear Sir/Madam,

RE: SUBMISSION IN RESPECT OF THE DRAFT WICKLOW TOWN – RATHNEW LOCAL AREA PLAN 2025 AS IT PERTAINS TO A SITE AT MARLTON AND ST PATRICK'S ROADS, WICKLOW TOWN

1.0 INTRODUCTION

Thornton O'Connor Town Planning¹ have been retained by HK Partnership² to prepare this submission in respect of the *Draft Wicklow Town – Rathnew Local Area 2025*. Specifically, this submission pertains to a site at Marlton and St Patrick's Road in Wicklow Town.

1.1 Requests of this Submission

This submission comprises 3 No. principal requests:

- 1) That the portion of the site proposed to be zoned 'TC – Town Centre' retain this zoning designation in the final version of the *Wicklow Town – Rathnew Local Area 2025*.
- 2) That the portion of the site proposed to be zoned 'OS' – Open Space 1' revert to its original 'TC – Town Centre' zoning designation in the final version of the *Wicklow Town – Rathnew Local Area 2025*. (Thus, resulting in the entire site being 'TC – Town Centre'.)
- 3) That key aspects of 'ancillary urban and residential development' be included as open for consideration uses in appropriate instances on lands zoned AOS, O1 and OS2 in the final version of the *Wicklow Town – Rathnew Local Area 2025*.

1.2 Forthcoming Planning Application for Development

The submission is made in the context of the Applicant intending to lodge a Planning Application for residential and commercial development at the subject site in the coming weeks. This

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² Oaklawn, Bollarney, Wicklow Town, Co. Wicklow

proposal was subject to Pre-Planning Consultation (PPC) with the Planning Department of the Council, with feedback received on 1st July 2024.

The current Site Layout is presented in Appendix A below. This has been designed by the highly regarded and multi-award winning ODAA Architects.

Vitaly, as will be presented in the Planning Application and is shown in Appendix A, access from both sides of the subject site – Marlton Road and St Patrick’s Road – is required due to the site’s topography and the position of existing site services. Thus, it is crucial that access along and/or the development potential of the north-western site boundary is retained.

2.0 SITE LOCATION

The subject site is irregular in shape and extends to approximately 0.77 Ha. It is principally bound by an existing watercourse and Marlton Road to the west and St Patrick’s Road to the east. Its location is identified in Figure 2.1 below, as well as the zoning maps in Figures 3.1 and 3.2 below.

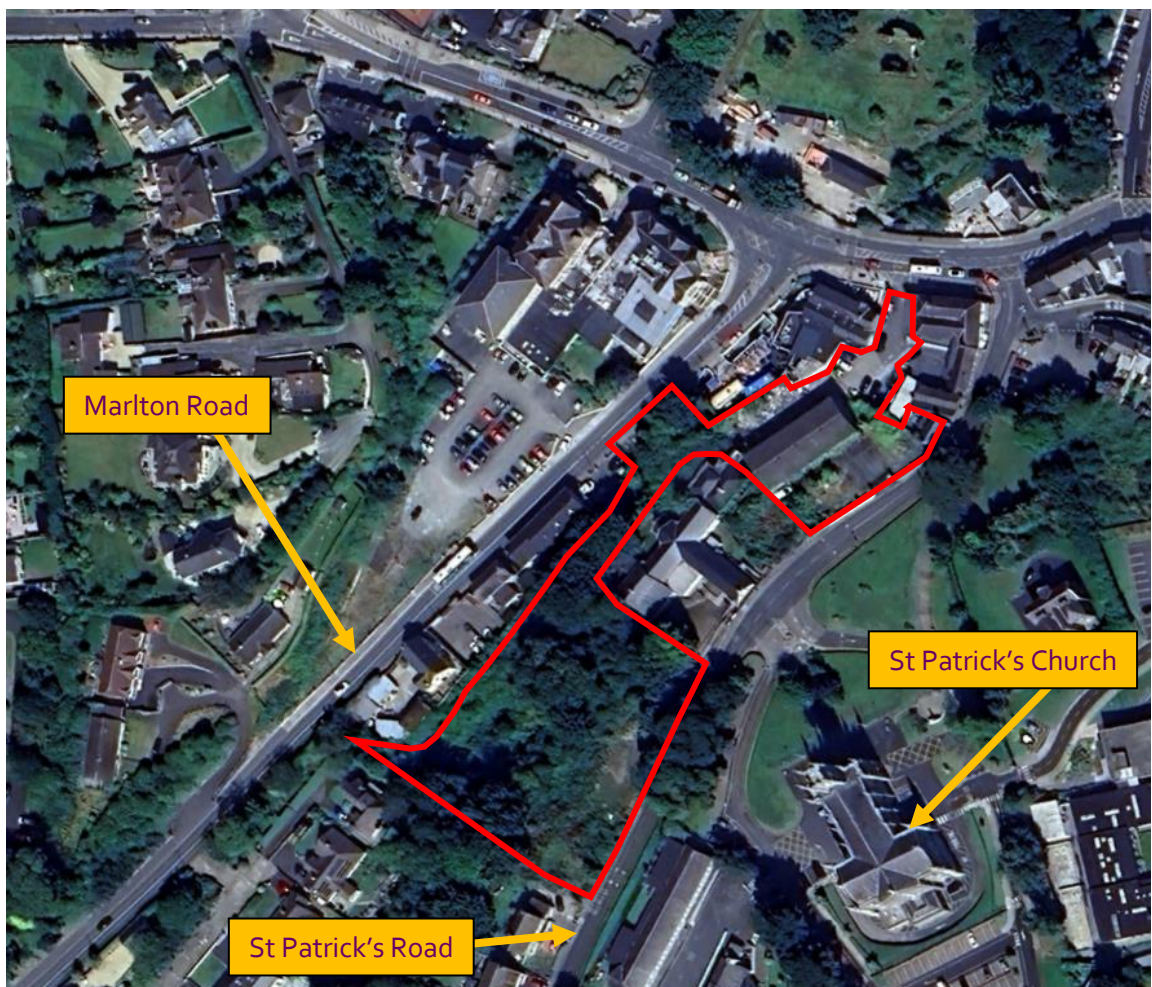


Figure 2.1: Location of the subject site (indicatively outlined in red)

Source: Google Earth (2024, image 12th August 2024), annotated by Thornton O'Connor Town Planning (2024)

The site is evidently location in the very centre of the town, within walking distance of a host of important services, facilities and amenities. These include childcare, schools, shops, personal and professional services, sport clubs and grounds, dining options, etc. Therefore, it is a prime site for redevelopment and regeneration, thereby needing a progressive approach to zoning.

3.0 ZONING DESIGNATION ON-SITE

The Draft LAP has zoned the subject site as both 'TC – Town Centre' and 'OS1 – Open Space 1', per Figure 3.1 below. By comparison with the site's zoning in the *Wicklow Town – Rathnew Development Plan (2013)* (Figure 3.2), the OS1 zoning designation represents a change to the site along its north-western edge.

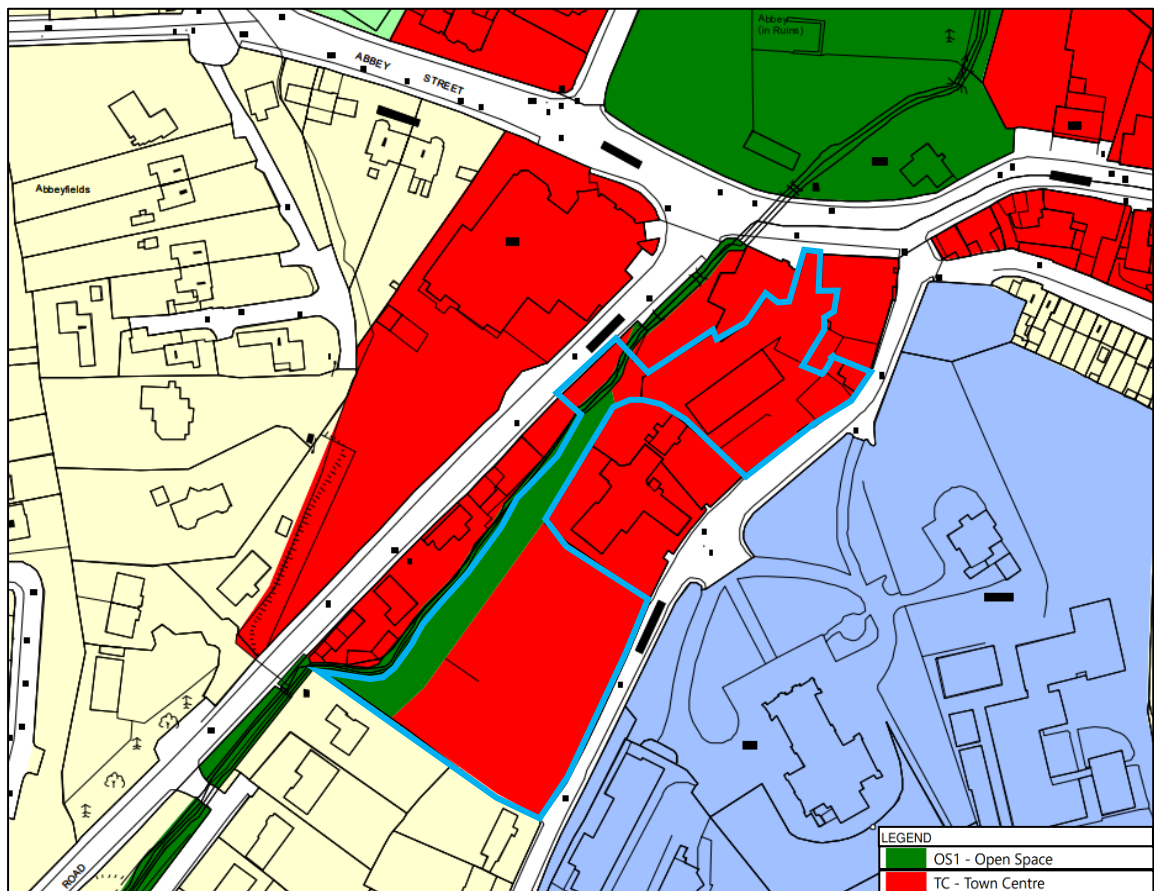


Figure 3.1: Zoning of the subject site (indicatively outlined in blue) per the Draft LAP

Source: *Draft Wicklow Town – Rathnew Local Area Plan 2025 (2024)*, annotated by Thornton O'Connor Town Planning (2024)

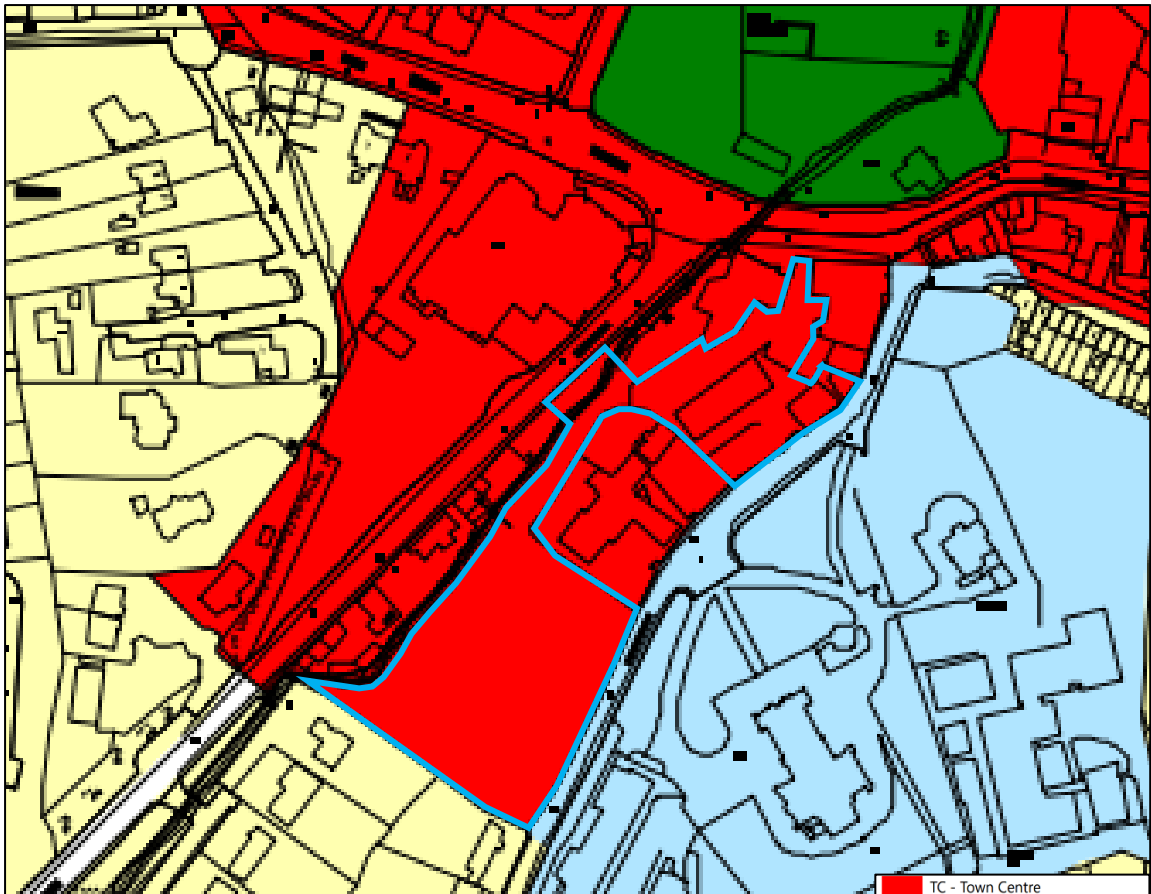


Figure 3.2: Zoning of the subject site (indicatively outlined in blue) per the *Wicklow Town – Rathnew Development Plan 2013–2019*

Source: *Wicklow Town – Rathnew Development Plan 2013–2019* (2013), annotated by Thornton O'Connor Town Planning (2024)

3.1 Town Centre Zoning: Request to be Retained

Our Client wholly supports and welcomes the retention of the TC-zoning designation across the vast majority of the subject site. This is considered appropriate given the site’s centrality, existing uses and development potential.

It provides our Client with the opportunity to deliver a high-quality development, enhancing the existing built-environment and bringing underutilised and unutilised spaces into more appropriate active usage. As mentioned at the outset, it is our Client’s intention to lodge a Planning Application for development at this site in the coming weeks, thus validating and warranting the retention of this zoning on-site.

3.2 Open Space Zoning: Request to Revert to Town Centre Zoning

Notwithstanding our Client’s welcoming of the TC zoning’s retention, they have considerable concerns with respect to the rezoning of the north-western strip of the site as ‘OS1 – Open Space 1’ (Figure 3.2). This change to this part of the subject site risks sterilising its development potential, thereby making it ‘undevelopable’.

Due to the site's steep topography (falling from east to west) and the location of existing services, it is necessary to access the site from both sides (St Patrick's Road (east) and Marlton Road (west)) to efficiently use all parts of the TC-zoned portion of the site. Therefore, it will be necessary to traverse the watercourse to the site's west and provide shared surface infrastructure parallel to the watercourse at the location of the proposed OS-zoned area (Figure 3.3 below). Without doing so, part of the western side of the TC area may not be developable, thus reducing the development opportunities at the site and its maximum compact growth potential.

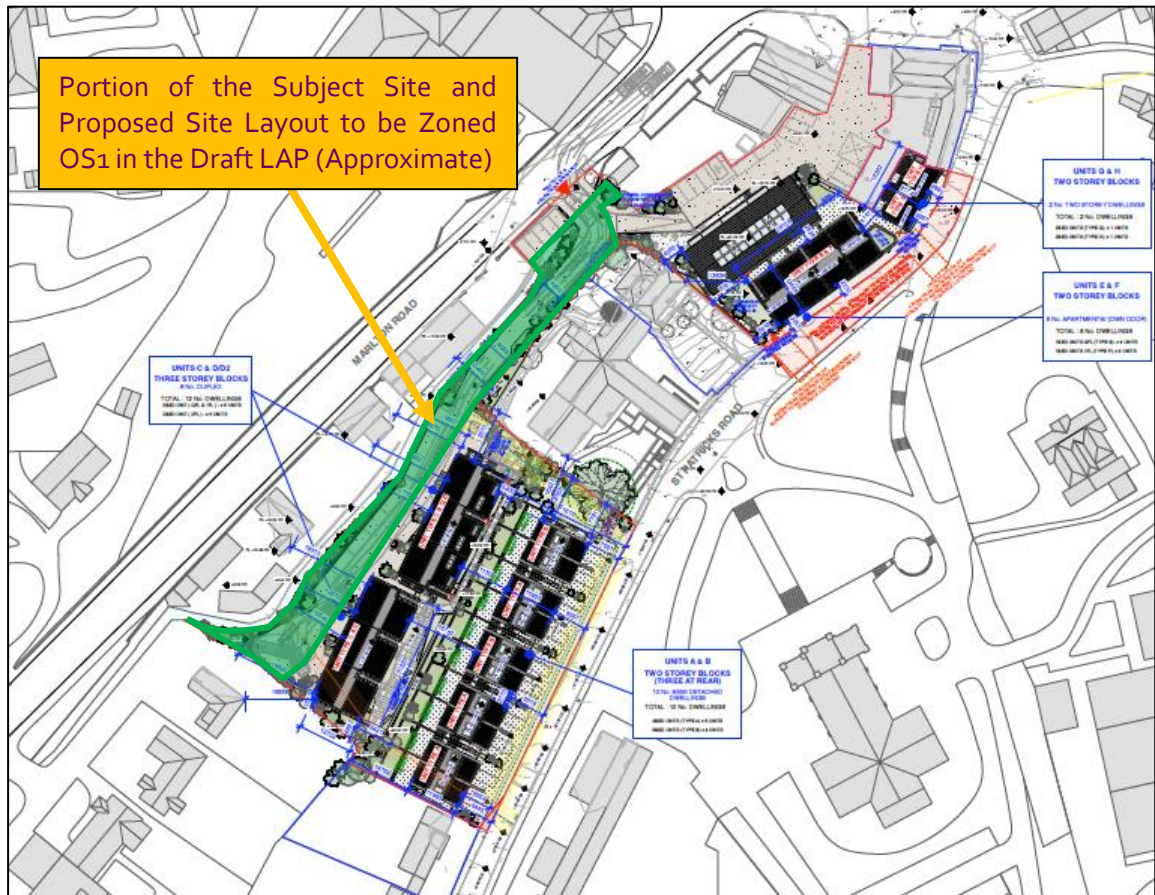


Figure 3.3: Portion of the subject site and site layout which the Draft LAP proposes to zoned as OS1

Source: ODA (2024), annotated by Thornton O'Connor Town Planning (2024)

Whilst our Client acknowledges the riparian protection benefits (ecology, water quality, flood mitigation, etc.) that the OS1 zoning would provide, they contend that many of these can still be secured by way of carefully considered design, landscaping and site management. These will be presented in the forthcoming Planning Application material, noting the presence of riparian buffer policies/objective in the County Development Plan that would apply regardless and needs to be addressed.

Additionally, field surveys (including those to support the preparation of an *Ecological Impact Assessment*, for example bat surveys) did not reveal any species or habitats of note or requiring statutory protection.

Consequently, our Client respectfully requests that the OS1-zoned portion of the site reverts to its current TC zoning, thereby resulting in the entire subject site being zoned as TC.

4.0 USES ON OPEN SPACE ZONED LANDS

Notwithstanding the above request, our Client deems it practical and pragmatic to make a minor change to the text related to the "typical appropriate uses for each zone type" contained in Section 11.1 of the Draft LAP. Our Client firmly contends that consideration must be given to facilitating ancillary urban and residential development on open space zoned lands (OS1, OS2 and AOS) where such development is necessary to serve or unlock other sites which may otherwise be 'landlocked' by way of the zoning of lands, topography or the existing provision of services.

This is a beneficial consideration that has potentially significant, positive merit. For evidence of the use of this approach elsewhere across Ireland, we draw the Council's attention to the *Meath County Development Plan 2021–2027*. In respect of its 'F1 – Open Space' zoned lands, the Plan includes "utilities" as a permitted use and "vehicular/cyclist/pedestrian access to zoned lands where appropriate" as being open for consideration. This removes the ambiguity of uses potentially materially contravening a Development Plan when they are delivered as vital infrastructure to facilitate development.

Accordingly, our Client proposes the following amendment to the OS1 text pertaining to "typical appropriate uses", but notes that similarly worded text could also be applied to OS2 and AOS:

<p>Current Wording in the Draft LAP for OS1 Lands</p>	<p>Uses appropriate for open space (OS1) zoned land are recreational uses such as formal / informal landscaped parks with off-road walking / cycling paths, as well as playgrounds, skate parks, Mixed Use Games Areas and outdoor gyms.</p>
<p>Our Client's Proposed Wording for OS1 Lands in the Final Wicklow Town – Rathnew Local Area Plan 2025 (New Text in Red)</p>	<p>Uses appropriate for open space (OS1) zoned land are recreational uses such as formal / informal landscaped parks with off-road walking / cycling paths, as well as playgrounds, skate parks, Mixed Use Games Areas and outdoor gyms. Additionally, consideration will be given to appropriate 'ancillary urban and residential development', such as site accesses and roads (including vehicular, cyclist and pedestrian infrastructure) and utilities.</p>

5.0 CONCLUSION

We trust the above points are clearly articulated and that it provides the Council with sufficient insight to action the 3 No. requests, most notably reverting the subject site's proposed 'OS1 – Open Space 1' zoning to 'TC – Town Centre' and facilitating appropriate ancillary residential development on open space zoned lands (OS1, OS2 and AOS).

We look forward to the next stage of the LAP's drafting, but please do not hesitate to contact the undersigned in the meantime should you require further insights.

Yours faithfully,



Sadhbh O'Connor
 Director
 Thornton O'Connor Town Planning

APPENDIX A – EMERGING SITE LAYOUT

